

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

R.K.,

Plaintiff,

v.

THE CORPORATION OF THE
PRESIDENT OF THE CHURCH OF JESUS
CHRIST OF LATTER DAY SAINTS, *et al.*,

Defendants.

CASE NO. C04-2338RSM

ORDER OF DISMISSAL

On September 19, 2006, this Court issued an Order of Clarification, excluding all reference to LDS Social Services in Mr. Loholt's deposition from trial. (Dkt. #188). At the same time, the Court directed plaintiff to show cause no later than September 25, 2006, why defendant LDS Social Services should not be dismissed from this case. (Dkt. #188 at 3). As of this date, plaintiff has failed to respond to the Court's Order. However, the Court notes that plaintiff's Pre-trial Order omits any discussion or reference to LDS Social Services, and no longer lists more than one defendant in the case caption. Thus, the Court deems those omissions to be a concession that LDS Social Services is no longer an appropriate defendant to this action.

Accordingly, the Court does hereby ORDER:

(1) Plaintiff's claims against defendant LDS Social Services are DISMISSED, and LDS

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1 Social Services is hereby TERMINATED as a defendant to this action.

2 (2) The Clerk shall REVISE the case caption to read *R.K. v. The Corporation of the*
3 *President of the Church of Jesus Christ of Latter-Day Saints.*

4 (3) The Clerk is directed to forward a copy of this Order to all counsel of record.

5 DATED this 29th day of September, 2006.

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7 RICARDO S. MARTINEZ
8 UNITED STATES DISTRICT JUDGE
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